

The Honorable Samuel J. Steiner
Chapter 7
Hearing Location: Courtroom 8206, Seattle
Hearing Date: February 26, 2010
Hearing Time: 9:30 a.m.
Response Date: February 19, 2010

**UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

In Re:) Chapter 7
) No. 09-23053
ROSEMARY ANN FERREIRA)
aka Ann Ferreira) TRUSTEE'S OBJECTION, IN PART,
CARLOS FERREIRA) TO MOTION FOR RELIEF FROM STAY
fdbA Afix Corp.)
)
Debtors.)
_____)

COMES NOW Ronald G. Brown, Chapter 7 Trustee, and objects, in part, to the motion for relief from stay by H&C Internationale, Ltd., as follows:

The Deed of Trust dated March 16, 2009, on real property identified as Assessor's Parcel Tax Number 3303230170 (commonly known as 14003 109th Avenue NE, Kirkland, Washington) does not appear, according to the documentation by the moving party, to secure a debt evidenced by a promissory note. The Deed of Trust refers to a "promissory note of even date herewith" which is not attached or part of the record. A promissory note and Deed of Trust submitted by the moving party for another property, commonly known as 9202 NE 120th Street, Kirkland, Washington, appear to be unrelated. Therefore, as to the property commonly known as 14003 109th Avenue NE, Kirkland, Washington, it cannot be determined if the moving party has standing to bring the motion. In re Jacobson, 402 B.R. 359 (Bankr. W.D. Wash., 2009).

DATED this 1st day of February, 2010.

/s/ Ronald G. Brown
Ronald G. Brown, WSBA #8816
Chapter 7 Trustee

TRUSTEE'S OBJECTION

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